

**House File 2183 - Reprinted**

HOUSE FILE 2183  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HSB 519)

(As Amended and Passed by the House March 10, 2010)

**A BILL FOR**

1 An Act relating to the organization and duties of the state  
2 board of health.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 136.1, Code 2009, is amended to read as  
2 follows:

3 **136.1 Composition of board.**

4 The state board of health shall consist of the following  
5 members: ~~Five~~ Two members learned in health-related  
6 disciplines, three members who have direct experience with  
7 public health, two members who have direct experience with  
8 substance abuse treatment or prevention, and four members  
9 representing the general public. At least one of such members  
10 shall be licensed in the practice of medicine and surgery or  
11 osteopathic medicine and surgery under chapter 148.

12 ~~The director of public health shall serve as secretary of the~~  
13 ~~board.~~

14 Sec. 2. Section 136.3, Code 2009, is amended by striking the  
15 section and inserting in lieu thereof the following:

16 **136.3 Duties.**

17 The state board of health shall provide a forum for the  
18 development of public health policy in the state of Iowa and  
19 shall have the following powers and duties:

20 1. Consider and study legislation and administration  
21 concerning public health.

22 2. Advise the department on any issue related to the  
23 promotion and protection of the health of Iowans including but  
24 not limited to:

25 a. Prevention of epidemics and the spread of disease,  
26 including communicable and infectious diseases such as zoonotic  
27 diseases, quarantine and isolation, sexually transmitted  
28 diseases, and antitoxins and vaccines.

29 b. Protection against environmental hazards.

30 c. Prevention of injuries.

31 d. Promotion of healthy behaviors.

32 e. Preparing for, responding to, and recovering from public  
33 health emergencies and disasters.

34 3. Establish policies governing the performance of the  
35 department in the discharge of any duties imposed on it by law.

1 4. Provide guidance to the director in the discharge of the  
2 director's duties.

3 5. Adopt and implement the Iowa public health standards.

4 6. Assure that the department complies with Iowa Code,  
5 administrative rules, and the Iowa public health standards.  
6 For this purpose the board shall have access at any time to all  
7 documents and records of the department.

8 7. Assure that the department prepares and distributes an  
9 annual report.

10 8. Advise or make recommendations to the director of public  
11 health, governor, and general assembly relative to public  
12 health and advocate for state and local public health to comply  
13 with the Iowa public health standards.

14 9. Offer consultation to the governor in the appointment of  
15 the director of the department.

16 10. Adopt, promulgate, amend, and repeal rules and  
17 regulations consistent with law for the protection of the  
18 public health and prevention of substance abuse, and for  
19 the guidance of the department. All rules adopted by the  
20 department are subject to approval by the board.

21 11. Act by committee, or by a majority of the board.

22 12. Keep minutes of the transactions of each session,  
23 regular or special, which shall be public records and filed  
24 with the department.

25 13. Perform those duties authorized pursuant to chapter  
26 125. The board may appoint a substance abuse and gambling  
27 treatment program committee to approve or deny applications for  
28 licensure received from substance abuse programs pursuant to  
29 chapter 125 and gambling treatment programs pursuant to chapter  
30 135 and to perform any other function authorized by chapter 125  
31 or 135 and delegated to the committee.

32 14. Perform those duties authorized pursuant to sections  
33 135.156, 135.159, and 135.161, and other provisions of law.

34 Sec. 3. Section 136.5, Code 2009, is amended to read as  
35 follows:

1     **136.5 Meetings.**

2     The board shall meet ~~on the second Wednesday in July and on~~  
3 ~~the second Wednesday of every second month thereafter~~ at least  
4 six times per year and ~~at such other times~~ as may be deemed  
5 necessary by the ~~president~~ chairperson of the board ~~or the~~  
6 director of the department. The ~~president~~ department shall  
7 give each board member adequate notice of all ~~special~~ meetings.  
8 A majority of the members of the board shall constitute a  
9 quorum.

10     Sec. 4. Section 136.7, Code 2009, is amended to read as  
11 follows:

12     **136.7 Officer Chairperson — staff assistance.**

13     ~~At the meeting held in~~ The board shall annually in July ~~of~~  
14 ~~each year a president shall be elected from the board~~ elect  
15 a chairperson, who shall serve for a period of one year. ~~At~~  
16 ~~the request of the board the~~ The department shall furnish  
17 ~~an executive clerk~~ staff from the regular employees of the  
18 department to record the minutes of the meetings of the board.

19     Sec. 5. Section 136.8, Code 2009, is amended to read as  
20 follows:

21     **136.8 Supplies.**

22     The department shall furnish the board of health with all  
23 articles and supplies ~~required for the public use and~~ necessary  
24 to enable the board to perform the duties imposed upon it by  
25 law. Such articles and supplies shall be obtained by the  
26 department in the same manner in which the regular supplies for  
27 the department are obtained and the same shall be considered  
28 and accounted for as if obtained for the use of the department.